

REMARKS

Claims 1-114 are pending in the above-captioned patent application after this amendment. Claims 1, 4-34, 38, and 41-114 have been allowed. Claims 2, 3, 39 and 40 have been rejected. Claims 35-37 have been objected to.

The Applicants respectfully disagree with the rejection of claims 2, 3, 39 and 40 and the objection to claims 35-37. However, the Applicants have amended claims 35-37, 39, 40, 69, 70, 75, 81, 89, 95, 105, 109, and 114 for the purpose of expediting the patent application process in a manner consistent with the goals of the Patent Office pursuant to 65 Fed. Reg. 54603 (September 8, 2000), and/or to clarify what the Applicants regard as the present invention.

Support for the amendments to claims 35-37, 39, 40, 69, 70, 75, 81, 89, 95, 105, 109, and 114 can be found throughout the originally filed specification. In particular, support for the amendments these claims can be found in the original claims, at page 67, line 23 through page 73, line 9, and in Figure 7. No new matter is believed to have been added by this amendment.

Reconsideration of the pending application is respectfully requested in view of the above-recited amendments and the arguments set forth below. The Applicants respectfully request that this Amendment and Response be considered after final rejection because the Applicants believe that the Application, as amended, is in proper form for allowance.

Interview Summary

On March 3, 2004, the undersigned attorney for the applicants conducted a telephonic interview with the Primary Examiner, Rina Duda. Prior to the interview, a draft response was forwarded to the Examiner. During the interview, the Examiner agreed that Claims 2, 3, 36 (amended), 37 (amended), 39 (amended), and 40 (amended) are in condition for allowance. The applicants want to thank the Examiner for her assistance in the prosecution of the present application.

Rejections Under 35 U.S.C. §112

Claims 2, 3, 39, and 40 were rejected under 35 U.S.C. §112 as being indefinite. The Applicants respectfully traverse the rejection of claims 2 and 3 and the Applicants respectfully submit that claims 39 and 40, as amended are not indefinite.

The Patent Office provides that “independent claim 1 establishes the holder mover rotating the device holder at least five degrees, so how can the holder mover also rotate the device twenty five degrees and one hundred and eighty degrees as recited in claims 2 and 3.” Further, the Patent Office provides that “independent claim 38 establishes the holder mover rotating the device holder at least five degrees, so how can the holder mover also rotate the device twenty five degrees and one hundred and eighty degrees as recited in claims 39 and 40.”

Claim 1 is directed to a “stage assembly that moves a device, the stage assembly comprising: a device table; a stage mover assembly connected to the device table, the stage mover assembly moving the device table; a holder assembly including a device holder that retains the device and rotates relative to the device table; and a holder mover assembly that rotates the device holder at least approximately five degrees relative to the device table between a first position and a second position.”

Claim 2 recites that “the holder mover assembly rotates the device holder at least approximately twenty-five degrees relative to the device table about a holder axis of rotation between the first position and the second position.” Claim 3 further recites that “the holder mover assembly rotates the device holder at least approximately one hundred and eighty degrees relative to the device table about a holder axis of rotation between the first position and the second position.”

Thus, pursuant to claim 1, the holder mover assembly rotates the device holder approximately five degrees or a greater amount relative to the device table. Because at least approximately twenty-five degrees (as required by claim 2) and at least approximately one hundred and eighty degrees (as required by claim 3) are greater than at least approximately five degrees, these claims are not indefinite. Accordingly, the rejection of these claims is inappropriate and should be withdrawn.

Somewhat similarly, claim 38 is directed to a “method for making a stage assembly for moving a device, the method comprising the steps of: providing a device

table that is supported movably; connecting a stage mover assembly to the device table; providing a holder assembly including a device holder that retains the device; and providing a holder mover assembly to rotate the device holder at least approximately five degrees relative to the device table between a first position and a second position.”

Claim 39 recites that “the holder mover assembly rotates the device holder at least approximately twenty-five degrees relative to the device table about a holder axis of rotation between the first position and the second position.” Claim 40 recites that “the holder mover assembly rotates the device holder at least approximately one hundred and eighty degrees relative to the device table about a holder axis of rotation between the first position and the second position.”

Thus, pursuant to claim 38, the holder mover assembly rotates the device holder approximately five degrees or a greater amount relative to the device table. Because at least approximately twenty-five degrees (as required by claim 39) and at least approximately one hundred and eighty degrees (as required by claim 40) are greater than at least approximately five degrees, these claims are not indefinite. Accordingly, the rejection of these claims is inappropriate and should be withdrawn.

Claim Objections

Claims 36 and 37 are objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. In particular, the Examiner provides that “Claim 35 does not recited elements of an exposure apparatus, so claims 36 and 37 have to recite more elements or claims 35-37....”


The Applicants have amended claims 35-37 to recite more elements. The Applicants submit that claims 35-37 are in proper dependant form. Accordingly, the Applicants respectfully submit that the objection to these claims is not appropriate and should be withdrawn.

Conclusion

In conclusion, the Applicants respectfully assert that claims 1-114 are patentable for the reasons set forth above, and that the application is now in a condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 858-456-1951 for any reason that would advance the instant application to issue.

Dated this the 3rd day of March, 2004.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'S G Roeder', written over a horizontal line.

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